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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PERUNGAVOOR, SATHYANARAYA V

ART UNIT PAPER NUMBER

2624

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/852,799	Applicant(s) DRESEVIC ET AL.	
	Examiner Sath V. Perungavoor	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/15/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant(s) Response to Official Action

- [1] The response filed on March 2, 2006 has been entered and made of record.

Response to Arguments/Amendments

- [2] Presented arguments have been fully considered, but are rendered moot in view of the new ground(s) of rejection necessitated by amendment(s) initiated by the applicant(s).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- [3] Claims 14 and 16-21 are rejected under 35 U.S.C. 102(b) as being anticipated by the NPL document titled “JOT – A Specification for an Ink Storage and Interchange Format”, submitted by the applicants on July 15, 2004 (“JOT”).

Regarding claim 14, JOT meets all the claim limitations, as follows:

A computer-readable medium having a data structure thereon, said data structure being read and processed by a computer, said data structure relating to storing handwritten ink information, said data structure comprising [Page 2, Paragraph 3]: a first portion having a tag representing an identification of a type of tag data [Page 25

Paragraph 2: INK_RECORD_HEADER8]; a second portion identifying a size of said tag data [*Page 25, Paragraph 4 and Page 16, Paragraphs 1 and 2: inkRecordBundleSize*]; a third portion having a table [*Page 32, Paragraph 1*], said table including global unique identifiers (i.e. *inkColorLtGrey*) [*Page 32, Paragraph 1*]; a fourth portion having the tag data (i.e. *tag_INK_COLOR_RECORD*), the tag data including an identifier (i.e. *INK_COLOR*) means for referencing a global unique identifier (i.e. *inkColorLtGrey*) in the table associated with a property of the handwritten ink information [*Page 31, Paragraph 3; Page 32, Paragraph 1*], wherein the property of the handwritten ink information (i.e. {0x80, 0x80, 0x80, 0xFF}) associated with the global unique identifier (i.e. *inkColorLtGrey*) in the table is applied to the tag data based on the referencing [*Page 31, Paragraph 3; Page 32, Paragraph 1*].

Regarding claim 16, JOT meets all the claim limitations, as follows:

The computer readable medium according to claim 14, wherein tags for said global unique identifiers are specified [*Page 32, Paragraph 1: inkColorLtGrey*].

Regarding claim 17, JOT meets all the claim limitations, as follows:

The computer readable medium of claim 14 wherein the data structure further comprises a fifth portion describing an ink space rectangle [*Page 27, Paragraph 1: RECT32*].

Regarding claim 18, JOT meets all the claim limitations, as follows:

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The computer readable medium of claim 14 wherein the data structure further comprises: a fifth portion having a first table, said first table describing metrics of properties [Page 40, Paragraph 2; Page 39, Paragraph 2:

tag_INK_UNITS_PER_FORCE_RECORD, tag_INK_UNITS_PER_Z_RECORD, both define a 1 dimensional array (i.e. table) and can be combined to form a 2 dimensional array (i.e. table).].

Regarding claim 19, JOT meets all the claim limitations, as follows:

The computer readable medium according to claim 18, further comprising: a sixth portion comprising a second table, said second table describing properties of strokes in which said properties are related to the metrics of properties in said fifth portion [Page 46 Paragraph 2: *force*].

Regarding claim 20, JOT meets all the claim limitations, as follows:

The computer readable medium of claim 14 wherein said data structure further comprises: a fifth portion having a transform table, said transform table describing a transform for at least one ink stroke [Page 28, Paragraph 4: *tag_INK_SCALE_RECORD*].

Regarding claim 21, JOT meets all the claim limitations, as follows:

The computer readable medium of claim 14 wherein said data structure further comprises: a fifth portion having an attribute table, said attribute table describing a

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drawing attribute for at least one ink stroke [Page 36, Paragraph 6:

INK_PENTIP_ROUND].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

[4] Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over JOT.

Regarding claim 15, JOT discloses the following claim limitations:

The tags for said global unique identifiers are determined by the position of said global unique identifiers in said table [Page 41, Paragraph 2: *appSignature, individual signatures are determined by index value (i.e. position) [0...8] in the table.*].

JOT does not explicitly disclose the claim limitations in the context of claim 14.

It would have been obvious to one with ordinary skill in the art at the time of invention to modify the teachings of JOT to include arrays for predetermined color indexing, the motivation being the removal labels used in #define, where the certain range of index values can be associated with color.

Conclusion

[5] Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

[6] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Sath V. Perungavoor whose telephone number is (571) 272-7455. The examiner can normally be reached on Monday to Friday from 8:30am to 5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bhavesh M. Mehta whose telephone number is (571) 272-7453, can be reached on Monday to Friday from 9:00am to 5:00pm. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dated: August 18, 2006

By: 

Sath V. Perungavoor
Telephone: (571) 272-7455

For: Bhavesh M. Mehta


BHAVESH M. MEHTA
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